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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,671	12/01/2003	In-Gon Park	678-1296 (P11065)	2393
28249	7590	03/23/2007	EXAMINER	
DILWORTH & BARRESE, LLP			CHAN, RICHARD	
333 EARLE OVINGTON BLVD.				
SUITE 702			ART UNIT	PAPER NUMBER
UNIONDALE, NY 11553			2618	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/724,671	PARK ET AL.	
	Examiner Richard Chan	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 24 November 2006.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-8 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-8 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
    Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
    Paper No(s)/Mail Date \_\_\_\_\_.  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/24/06 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 3, 5 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Kokubo (US 2003/0119562).

With respect to claim 1, Kokubo disclose a portable communication apparatus 100, comprising: a) first housing 160 including an open space surrounding display 142 and a pair of hinge supports 140, the open space having at least one opening, the hinge supports extending longitudinally and surrounding opposite sides of the open space; b)

a hinge axis extending across the open space, paragraph [0039]; c) a second housing 120 including a first display 122 [0038], rotatably connected to the first housing 160 to open from and close to the first housing; and d) a third housing surrounding including a second display 142, extending in a longitudinal direction of the second housing 120 to be accommodated in the open space to enable the third housing to rotate about the hinge axis 140; the first display and second display always facing upward in the same direction(See Fig.1A, displays 122 and 143 are facing upward in the open position; wherein the second display 142 is always exposed regardless of an open and closed states of the second housing to the first housing 160.

With respect to claim 2, Kokubo discloses the portable communication apparatus 100 according to claim 1, wherein the first housing 160 has an upper surface including a plurality of keys and a microphone 108, and the second housing 120 has a lower surface including a speaker device 104.

With respect to claim 3, Kokubo discloses the portable communication apparatus 100 according to claim 1, wherein the third housing surrounding second display 142 is integrally connected to the second housing 120.

With respect to claim 5, Kokubo discloses the portable communication apparatus 100, comprising: a first housing 160 including an open space between the pair of hinge supports in hinge module 140, the open space having at least one opening, the hinge

supports extending longitudinally and surrounding opposite sides of the open space; a hinge axis extending across the open space; a second housing 120 including a first display and a second display located integrally connected to a second housing 120; wherein said first display 122 and said second display 142 are looked upward the same direction, and said second display is always exposed regardless of an open and closed states of the second housing to the first housing [0039].

With respect to claim 6, Kokubo discloses the portable communication apparatus 100 according to claim 5, wherein the first housing 160 has an upper surface including a plurality of keys 162 and a microphone 108, and wherein the second housing 120 has the lower surface including a speaker device 104.

With respect to claim 7, Kokubo discloses the portable communication apparatus according to claim 5, wherein the second display 142 is integrally connected to the second housing 120.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubo (US 2003/0119562 A1) in view of Kido (US 2001/0016508).

With respect to claim 4, Kokubo discloses the portable communication apparatus according to claim 1, however Kokubo does not specifically disclose wherein a lower surface of the third housing protrudes from the lower surface of the second housing with a stepped shape.

The Kido reference however discloses a secondary display **102** located on a third housing unit **109** wherein the third housing is protruding from the lower surface of the second housing **105**.

It would have been obvious to one of ordinary skill in the art to implement a protruding surface to house the secondary display as disclosed by Kido in order to properly view the display while the apparatus is in the "closed" position.

With respect to claim 8, Kokubo discloses the portable communication apparatus according to claim 5, however Kokubo does not disclose wherein a bottom portion of the second housing protrudes from a top portion of the second housing with a stepped shape.

The Kido reference however discloses a secondary display **102** located on a third housing unit **109** wherein the third housing is protruding from the lower surface of the second housing **105**.

It would have been obvious to one of ordinary skill in the art to implement a protruding surface to house the secondary display as disclosed by Kido in order to properly view the display while the apparatus is in the "closed" position.

The Kokubo and Kido references are analogous art because both references disclose electronic apparatuses, which are of the foldable type.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

With respect to applicant's arguments regarding claim 1, the applicant claims that the first display 212 and second display 310 of the present invention always face upward in the same direction, regardless of whether the first display 212 is open or closed, however upon observing Fig.4 of the application, the second display 310 is facing in an upward direction, while first display is facing an opposite direction.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chan whose telephone number is (571) 272-0570. The examiner can normally be reached on Mon - Fri (9AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571)272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Richard Chan  
Art Division 2618  
3/18/07



 3/19/07  
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PRIMARY EXAMINER